

1-1 By: Harris S.B. No. 395
1-2 (In the Senate - Filed January 31, 2007; February 21, 2007,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 April 12, 2007, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; April 12, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to dismissal of the charge in certain traffic offense
1-9 cases.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (b), Section 502.407, Transportation
1-12 Code, is amended to read as follows:

1-13 (b) A justice of the peace or municipal court judge having
1-14 jurisdiction of the offense may:

1-15 (1) dismiss a charge of driving with an expired motor
1-16 vehicle registration if the defendant:

1-17 (A) remedies the defect not later than the 20th
1-18 [~~10th~~] working day after the date of the offense or before the
1-19 defendant's first court appearance date, whichever is later; and

1-20 (B) establishes that the fee prescribed by
1-21 Section 502.176 has been paid; and

1-22 (2) assess an administrative fee not to exceed \$20
1-23 [~~\$10~~] when the charge is dismissed.

1-24 SECTION 2. Section 521.026, Transportation Code, is amended
1-25 to read as follows:

1-26 Sec. 521.026. DISMISSAL OF EXPIRED LICENSE CHARGE. (a) A
1-27 judge may dismiss a charge of driving with an expired license if the
1-28 defendant remedies this defect within 20 [~~10~~] working days or
1-29 before the defendant's first court appearance date, whichever is
1-30 later.

1-31 (b) The judge may assess the defendant an administrative fee
1-32 not to exceed \$20 [~~\$10~~] when the charge of driving with an expired
1-33 driver's license is dismissed under Subsection (a).

1-34 SECTION 3. Subsection (b), Section 548.605, Transportation
1-35 Code, is amended to read as follows:

1-36 (b) The court shall:

1-37 (1) dismiss a charge of driving with an expired
1-38 inspection certificate if:

1-39 (A) the defendant remedies the defect within 20
1-40 [~~10~~] working days or before the defendant's first court appearance
1-41 date, whichever is later; and

1-42 (B) the inspection certificate has not been
1-43 expired for more than 60 days; and

1-44 (2) assess an administrative fee not to exceed \$20
1-45 [~~\$10~~] when the charge of driving with an expired inspection
1-46 certificate has been remedied.

1-47 SECTION 4. This Act takes effect September 1, 2007.

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